IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

WEDNESDAY, THE 14TH MARCH 2007 / 23RD PHALGUNA 1928

Crl.Rev.Pet.No. 547 of 1999()

CRA.106/1993 of ADDL.SESSIONS COURT, KOTTAYAM
CC.9/1988 of JUDL.MAGISTRATE OF FIRST CLASS, ETTUMANUR

.....

REVN. PETITIONER/APPELLANT/1ST ACCUSED

JOSEPH, S/O.DEVASSIA,
KATTAMPALLIL HOUSE,
PONKUNNAM KARA,
CHIRAKKADAVU VILLAGE,
KANJIRAPPALLY TALUK
NOW C.NO.3497, CENTRAL JAIL,
POOJAPPURA, THIRUVANANTHAPURAM

BY ADV. SRI.VIJU ABRAHAM
SRI.VIJU ABRAHAM

RESPONDENTS/COMPLAINANT:

STATE OF KERALA REPRESENTED BY
THE SUB INSPECTOR OF POLICE,
KADUTHURUTHY.

BY PUBLIC PROSECUTOR SRI.BREEZE M.S.

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 14/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU, J

CRL.R.P.No.547 of 1999

Dated this the 14th day of March, 2007

ORDER

The revision petitioner who is the first accused in C.C.No.9/88 with respect to the offence under Section 292(2) (a) read with Section 34 IPC stands convicted and sentenced to undergo simple imprisonment for one year and to pay a fine of Rs.1,000/- and in default, to undergo simple imprisonment for another 40 days. The second accused stands acquitted.

2. The counsel for the revision petitioner has pointed out that the revision petitioner had already undergone imprisonment for about six months. i.e., from 27.1.1999 to 20.7.1999 as mentioned in Crl.M.P.No.2784/99. It is further submitted that he is aged 72 years.

3. In these circumstances and considering the fact that he has been facing criminal proceedings since 1986 onwards, the sentence is confined to imprisonment already undergone and to pay a fine of Rs.1,000/- and in default, to undergo simple

imprisonment for 40 days.

The criminal revision petition is disposed of as above.

K.R.UDAYABHANU,
JUDGE

csl